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APPLICATION NO		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,502		11/12/2003	Norberto Oscar Gomez	29953-190086	4759
26694	7590	03/15/2006		EXAMINER	
VENABL	E LLP		NGO, LIEN M		
P.O. BOX	34385				
WASHING	TON, DO	20045-9998		ART UNIT	PAPER NUMBER
				3754	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 30 °FR1-1300, inno event, however, may a reply be sinely filled. If NO period for reply is a specified above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the mailing date of this communication. Failure to reply within the set or excelled period for righy is appelled above. The maximum statutory period will apply and will expire SIX (8) MONTHS from the mailing date of this communication. Failure to reply within the set or excelled period for righy will, by statuke, cause the application corner MANNONED(C) SIX U. S. § 1333. Any reply received by the Office later than three mooths after the mailing date of this communication, several filterity filled, may reduce any exercise part that a communication (s) filled on 12 November 2003. 2a) This action is FINAL. 2b) This action is finAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.35 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are above to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f)				(A)				
Examiner LIEN TM NGO The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION benefition of time may be available under the provisions of 37 CFR 1.736(b). In no event, however, may a riegly be enterly field - through the correspondence address If the period for reply is specific address, the maximum statutopy nervol wall pay and will explice 180, MONTHS from the mailing date of this communication Taluse to septy within the set or scended pation for reply will, by statute, cause the application is because address or the scended pation for reply will, by statute, cause the application is because a paying and will explice 180, MONTHS from the mailing date of this communication, event 5 throlly field, may reduce any search application of the correspondence address or the scended pation for the results glides of the correspondence address or the scended pation for the results glides of the correspondence address or the scended pation for the results glides of the correspondence and the scended pation of the scended pation for the results glides of the correspondence and the scended pation of the scended pation for the results glides of the correspondence and the scended pation of the scended pation for the results glides of the correspondence and the scended pation is communication. 1) Responsive to communication (s) filed on 12 November 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Expanded Translations. 4) Claim(s) 1-35 is/are pending in the application for decidence and the scene patients. 4) Claim(s) 1-35 is/are pending in the application for election requirement. 4) Claim(s) 1-35 is/are allowed. 5) Claim(Application No.	Applicant(s)	8				
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12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	, —							
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Application/Control Number: 10/705,502

Art Unit: 3754

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-6, 8, 13-21, 27-33 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Grant et al. (5,996,824). Grant et al. disclose, in figs. 11, 12, 34 and 35, a container comprising a sidewall 10; a dome 16 coupled to the first end of the sidewall; container nose 12 having a channel, a hinged connection formed between the dome and the sidewall, and the dome having a neck portion; wherein the hinge connection enables the dome to flip from an outwardly projecting position to an inwardly projecting position; and a standing ring 18.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1-6 and 8-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Longo (5,046,877) in view of Grand et al.

Longo discloses, in figs, 1, 9 and 10, a container having limitations substantially as claimed, except Longo does not disclose a dome coupled to the first end of the

sidewall, a hinged connection formed between the dome and the sidewall, wherein the hinge connection enables the dome to flip from an outwardly projecting position to an inwardly projecting position, and a standing ring.

Grand et al. teach, a container having a dome coupled to the first end of the sidewall, a hinged connection formed between the dome and the sidewall, wherein the hinge connection enables the dome to flip from an outwardly projecting position to an inwardly projecting position; and a standing ring.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Longo container with a dome coupled to the first end of the sidewall, a hinged connection formed between the dome and the sidewall, wherein the hinge connection enables the dome to flip from an outwardly projecting position to an inwardly projecting position, and a standing ring, as taught by Grand et al., in order to facilitate of filling the container content at the dome neck portion and to enable the container to stand on the standing ring when the dome is in the inwardly projecting position.

5. Claim 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Longo in view of Grand et al. and further in view of Cargile et al. (6,673,301).

Longo in view of Grand et al. does not disclose the container sidewall having an inset groove.

Cargile et al. teach a container sidewall having an inset groove 22.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the container of Longo in view of Grand et al. with an inset groove on the container sidewall, as taught by Cargile et al., in order to provide a rigid support structure for container when the container is in the standing position.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LIEN TM NGO whose telephone number is 571-272-4545. The examiner can normally be reached on Monday through Friday from 8:30 AM -6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL MAR can be reached on 571-272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LIEN TM NGO Primary Examiner Art Unit 3754

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March 7, 2006